

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FATEMAH AZIZIAN, et al.,

No. C 03-3359 SBA

Plaintiffs.

CLASS ACTION

v.

ORDER

FEDERATED DEPARTMENT STORES, et al.,

[Docket No. 616, 626, 633, 635, 643, 654]

Defendants.

This matter comes before the Court on the Coordinated Objectors' Motion to Compel State Attorneys General to File and Serve Petition for Attorneys' Fees and Expenses and Objection to Special Master Renfrew's Recommendation of Attorney's Fees and Expenses to State Attorneys General [Docket No. 616], the Coordinated Objectors' Motion to Withdraw Select Exhibits from Coordinated Objectors' Amended Opposition and to Re-file Said Exhibits Under Seal [Docket No. 633], Coordinated Objectors' Motion to Seal [Docket No. 635], and Class Counsel's Motion for Return of Property [Docket No. 643], as well as the Special Master's Report and Recommendation [Docket No. 654] on the motions.

The Court has reviewed the Special Master's Report and Recommendation, as well as the underlying briefs filed in support of, and in opposition to, the motions identified herein. Having read and considered these documents, and being fully informed, the Court hereby ADOPTS the Special Master's Report and Recommendation in its entirety. First, the Special Master correctly concluded that he had the authority to consider the Coordinated Objectors' Motion to Withdraw Select Exhibits and Motion to Seal, and Class Counsel's Motion for Return of Property, pursuant to the Court's prior Orders delegating such matters to him. Second, the Court finds that the Coordinated Objectors have not

1 identified a legitimate basis for their need to obtain the State Attorneys General's petition for fees and
2 Expenses. Similarly, the Court is not persuaded by the Coordinated Objectors' proffered reasons for
3 filing Class Counsel's billing records under seal with the Court, particularly in light of the fact that the
4 same records are already in possession of the Special Master. Finally, the Court agrees with the Special
5 Master that Class Counsel's records should be returned to them, for the reasons identified by the Special
6 Master in his Report, and further finds that there is no need for the Coordinated Objectors to remain in
7 possession of these files.

8 Accordingly,

9 IT IS HEREBY ORDERED THAT the Special Master's Report and Recommendation [Docket
10 No. 654] is ADOPTED.

11 IT IS FURTHER ORDERED as follows:

- 12 (1) the Coordinated Objectors' Motion to Compel State Attorneys General to File
13 and Serve Petition for Attorneys' Fees and Expenses and Objection to Special
14 Master Renfrew's Recommendation of Attorney's Fees and Expenses to State
15 Attorneys General [Docket No. 616] is DENIED;
- 16 (2) the Coordinated Objectors' Motion to Withdraw Select Exhibits from
17 Coordinated Objectors' Amended Opposition and to Re-file Said Exhibits Under
18 Seal [Docket No. 633] is DENIED;
- 19 (3) the Coordinated Objectors' Motion to Seal [Docket No. 635] is DENIED; and
- 20 (4) Class Counsel's Motion for Return of Property [Docket No. 643] is GRANTED.

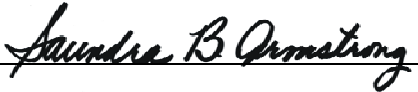
21 IT IS FURTHER ORDERED THAT the exhibits to the Coordinated Objectors' Amended
22 Opposition [Docket No. 626] shall be STRICKEN from the record. The clerk's office shall not file any
23 documents that have been submitted to the Court by the Coordinated Objectors in connection with their
24 Amended Opposition to Class Counsel's Petition for Attorney Fees and Expenses and Supplemental
25 Objections to Amended Recommendation of the Special Master to be filed under seal, but, instead, shall
26 destroy them.

27 IT IS FURTHER ORDERED THAT The Coordinated Objectors shall return to Class Counsel
28 all time-and-expense reports made available to the Coordinated Objectors, along with all physical or

1 electronic copies of those records, including any disks containing such information, on or before July
2 15, 2006. The Coordinated Objectors shall also provide Class Counsel with a list setting forth the name,
3 employer, and business address of each individual to whom such confidential documents were shown.
4 Such list shall be provided to Class Counsel no later than July 15, 2006.

5 IT IS SO ORDERED.

6
7
8 Dated: 6/20/06


SAUNDRA BROWN ARMSTRONG
United States District Judge